

Pete's Accomplishments in the 108th Congress

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are legislative accomplishments for the 108th Congress (2003-2005).
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Health (top)

As the Senior Democrat on the Ways and Means Committee's Subcommittee on Health, Rep. Stark continues to be a leader on Medicare and other health issues before Congress.

MEDICARE

THE MEDICARE PRESCRIPTION DRUG BILL (Medicare Modernization Act):

This bill passed Congress in November 2003 by a tiny margin that was only obtained after Republicans held the vote open for an unprecedented 3 hours. While purported to be a Medicare prescription drug bill for America's seniors, in fact, the bill fails to provide an adequate drug benefit and endangers Medicare's very future through dangerous privatization schemes.

- Stark

led the fight against the Medicare Modernization Act (MMA) - in committee and on the floor. He co-authored the Democratic alternative bill which would have provided a real, meaningful drug benefit - like that which workers get through their employers today. The bill also protected Medicare's future by continuing to assure the entitlement to the benefits

- EXPOSING BUSH ADMINISTRATION LIES ON THE MEDICARE BILL:

-

- COST

OF THE BILL: Blew the whistle on Administration's efforts to withhold cost estimates and analyses of last year's Medicare legislation that would have shown that the bill cost \$534 billion rather than \$400 billion as promised by the White House and Senior House Republicans. He is continuing to try to hold those accountable who hid the information.

- DRUG CARD

ADVERTISING: Requested a GAO analysis of advertisements run by the Bush Administration promoting the drug discount cards as enacted under the Medicare law. GAO found that the Administration violated a government prohibition on "covert" propaganda by creating what appeared to be news stories about the drug cards when in fact they were paid advertisements with actors hired by HHS posing as reporters.

- MEDICARE

COST-SHARING INCREASES: Forced the Administration to release analysis they'd left out of the 2004 Medicare Trustees Report which clearly shows the escalating financial burden that Medicare cost-sharing will place on seniors. The chart shows Medicare will absorb more than 50% of the average beneficiaries Social Security check by 2021.

- PROVISIONS

WITHIN THE OVERALL BILL THAT STARK HELPED ENACT: While he opposed the overall legislation because of the bill's severe shortcomings regarding the prescription drug benefit and its privatization of Medicare, this was an omnibus Medicare bill that included some provisions supported and even authored by Rep. Stark.

- REFORMING

MEDICARE'S PAYMENT FOR DRUGS THE PROGRAM CURRENTLY COVERS: Stark is a leading proponent of reforming Medicare's payment of prescription drugs already covered by Medicare (mainly chemotherapy medications). He has worked on this issue for years and requested analysis from the General Accounting Office regarding overpayments and fraud in this arena. Stark introduced the only free-standing bill on this issue and it became the basis of policy within the MMA.

- SPECIALTY

HOSPITALS: Introduced legislation to prohibit doctors from setting up their own specialty hospitals -- mostly heart hospitals and orthopedic care hospitals and personally profiting from their referrals. These hospitals are threatening the well-being of community hospitals and there is strong evidence from the GAO that they are treating healthier patients and failing to care for those on Medicaid. Worked with colleagues to include a provision in the MMA legislation that puts an 18 month moratorium on the creation or expansion of specialty hospitals until analysis is completed by HHS and MEDPAC on their impact on our health system.

- Enactment

of selected provisions that improve beneficiary outreach and education such as requiring the placement of Medicare staff in Social Security regional offices and the creation of a Medicare ombudsman program.

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LONG-TERM CARE HOSPITALS:

Released a white paper on the recent rapid growth in Medicare payments to Long Term Care Hospitals (LTCHs) and the fact that the for-profit component of this industry was reporting extremely high profits. The Long Term Care Hospital Moratorium Act (HR 3790) was introduced to curb this growth while research is conducted to determine whether the rapid growth was driven by true medical need. The public awareness generated by the white paper and legislation, couple with recent MedPAC reports, led to CMS finalizing new regulations to limit LTCH growth.

FIGHTING FRAUD AND ABUSE:

Is leading the House effort to increase funding for the HHS Office of the Inspector General as part of the ongoing appropriations process in Congress. This is a bipartisan effort in conjunction with Senator

Grassley, the Chairman of the Senate Finance Committee.

MEDICARE PREMIUMS DEVOUR SOCIAL SECURITY COLAS:

Uncovered MMA flaw that shows Republicans failed to protect SS COLA from drug premium increases; introduced legislation to protect the COLA and SS benefits by reserving at least 75 percent of the COLA for expenses other than Medicare premiums.

HOSPITAL ACCREDITATION:

Requested a report by the Government Accountability Office (GAO)--- the investigative arm of Congress --- regarding the effectiveness of the process of ensuring that acute hospitals meet the patient safety and quality conditions required by Medicare. Most hospitals are currently surveyed by a private entity, the Joint Commission for Accreditation of Health Organizations (JCAHO). The report found significant deficiencies in the JCAHO hospital surveying process. Bipartisan legislation was introduced with Senator Grassley, Chairman of the Senate Finance Committee authoring the Senate companion bill. That bill, the Medicare Hospital Accreditation Act (HR 4877), provides the government with increased oversight authority over JCAHO's Medicare hospital approval surveys.

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DEVELOPING COMMON SENSE SOLUTIONS TO COVER THE UNINSURED

PROVIDING HEALTH COVERAGE TO ALL CHILDREN:

Nearly one in five children lives below the poverty line -- the highest level of any age group. Despite programs that provide health insurance coverage for kids, more than 8 million children are still uninsured. Building on the successful Medicare program, Congressman Stark's MediKIDS bill (H.R. 1205) would establish a comprehensive, guaranteed, universal health insurance benefit for all children. His legislation is the top legislative goal for the American Academy of Pediatrics.

ADDRESSING THE FASTEST GROWING UNINSURED POPULATION:

One of the fastest growing uninsured populations is 55-65 year olds who can fall through the cracks of our employer-sponsored system, but are too young to qualify for Medicare. The Medicare Early Access Act (HR 4357) allows people in this age group to buy into the Medicare program, and provides a subsidy to make this coverage affordable.

IMPROVING COVERAGE OPPORTUNITIES FOR SMALL BUSINESSES:

Sixty-two percent of uninsured workers are in firms with fewer than 100 employees. Small employers cite cost as the main barrier to offering coverage. The Small Business Health Insurance Promotion Act (HR 4356)

provides tax subsidies to assist small employers to offer affordable health coverage to their employees through qualified health pooling arrangements.

EXPANDING HEALTH INSURANCE COVERAGE TO FAMILIES:

The vast majority of the uninsured live in families with incomes below 200% of poverty (\$31,340 for a family of three in 2004). The easiest way to expand health insurance coverage to this population is to enroll low-income parents in programs that are currently available to children. The FamilyCare Act (HR 4350) provides incentives for states to cover low-income families in existing public programs.

PROTECTING CONSUMERS:

Advocates of corporate interests make daily attempts to undermine the few consumer protections that exist in today's health system. Congressman Stark has consistently fought against these efforts, most recently defeating Republican amendments to the Trade Adjustment Assistance Reform Act (TAA) health care tax credit program that would have eliminated such protections. In addition, Congressman Stark has successfully opposed the expansion of renegade Association Health Plans that operate outside the jurisdiction of state insurance laws. He is also leading the fight against high-deductible health plans and Health Savings Accounts (HSAs) that would place a greater burden for health costs on the backs of consumers and threaten the employment-based system we have today.

ADVANCING HEALTH SYSTEM REFORM:

While Congressional debate on improving our health system has stagnated in recent years, Congressman Stark remains committed to finding solutions to address the serious concerns of coverage, cost, and quality. In spring 2004 he convened a panel of nationally-recognized experts to offer a broad critique of the U.S. health system and options for reform. This forum made a significant contribution to the national dialogue.

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OTHER HEALTH INITIATIVES

REDUCING MEDICAL ERRORS:

Developed a bipartisan bill with Ways and Means Health Subcommittee Chairman Nancy Johnson that was passed out of Committee and became basis for House-passed patient safety legislation. The bill is not as comprehensive as Rep. Stark would hope. The Senate passed a different version of the legislation. A conference must be appointed to work out the differences. As the session is nearing its end, it is likely that Congress will need to revisit the issue next year.

ADDRESSING THE NURSING SHORTAGE AND PROTECTING QUALITY PATIENT CARE:

Stark introduced the Safe Nursing and Patient Care Act to provide a federal prohibition on mandatory overtime for nurses. This legislation has the support of every major nursing association and the bipartisan support of more than 100 members of Congress. If enacted, it would encourage nurses to remain in the profession and would improve quality of care they provide to patients.

PROTECTING CONSUMER ACCESS TO AFFORDABLE CONTACT LENSES:

In November 2003, Congress passed, and President Bush signed into law, HR 3140, the Fairness to Contact Lens Consumers Act. This legislation, introduced by Rep. Pete Stark (D-CA), Rep. Richard Burr (R-NC) and a bipartisan group of lawmakers requires eyecare professionals to release contact lens prescriptions to their patients after completing the fitting process. The bill, similar to a current California law, guarantees fairness and choice to the 36 million contact lens wearers nationwide while providing them access to better prices when filling their prescriptions.

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MENTAL HEALTH

PROTECTING CHILDREN'S ACCESS TO NEEDED SERVICES:

Convened a working group of advocates to address the issue of children in welfare and/or mental health treatment settings losing multiple needed services upon transitioning to the adult service system at ages 18-21 --- so called youth in transition. A product of the group's activities was getting the Substance Abuse and Mental health Services Administration (SAMHSA) to fund a study by the University of Massachusetts Medical Center and the Bazelon Center for Mental Health Law to review all current federal legislation that addresses this issue. The results of this study will be used to develop a more comprehensive approach to meeting the needs of these youth.

KEEPING FAMILIES TOGETHER WHEN THEIR CHILDREN NEED INTENSIVE MENTAL HEALTH SERVICES:

Stark with Representatives Jim Ramstad (R-MN) and Patrick Kennedy (D-RI) introduced the "Keeping Families Together Act," a bill to help parents obtain necessary mental health treatment for their severely emotionally disturbed children without being forced to relinquish them into state custody to get that care. Senators Susan Collins (R-ME) and Mark Pryor (D-AR) introduced companion legislation in the Senate.

Stark

assembled support for this legislation by commissioning with Representative Kennedy and Senator Collins a General Accounting Office report entitled "Child Welfare and Juvenile Justice: Federal Agencies Could Play a Stronger Role in Helping States Reduce the Number of Children Placed Solely to Obtain Mental Health Services." This report found in Fiscal Year 2001, that parents were forced to relinquish the legal custody of 12,700 children to the juvenile justice or child welfare systems, so that their children could get mental health treatment.

[Welfare \(top\)](#)

Stark

led the battle to make reducing poverty a goal of the main federal welfare program, Temporary Assistance for Needy Families (TANF). He included this provision in his Child Poverty Reduction Act (H.R. 625). In response to this pressure, the Republicans changed their bill to make poverty reduction a goal of TANF. Because the Senate refused to go along with some of the draconian cuts in the House-passed Republican Welfare reform bill, this issue has not been resolved. The existing law was extended and the 109th Congress will return to revising the welfare law.

CHILD CARE:

Stark led the fight to increase funding for child care subsidies for poor families. As the 1996 welfare law required many poor parents to go to work, Stark worked to ensure that their children are in safe, affordable and quality child care. After offering an amendment to increase child care subsidies by \$11.25 billion over 5 years in the previous Congress, Stark's efforts in this Congress led both the House and Senate welfare bills to increase overall funding for child care.

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[Taxes \(top\)](#)

Stark

consistently voted against the irresponsible tax cuts proposed by the Administration and Republicans in Congress because those cuts are targeted toward those with upper incomes and thrust our nation further into debt at a time when we can least afford it. While Stark is a

strong proponent of true-middle income tax relief, the Bush Administration proposals favor the wealthy over working class families, and put the burden of billions of dollars of debt on our children and grandchildren.

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[Investing Standards \(top\)](#)

Stark
led a bipartisan, bicameral effort in opposition to legislation aimed at blocking the Financial Accounting Standards Board's (FASB) authority to require companies to expense stock options on their Securities and Exchange Commission (SEC) income reports. This accounting change is necessary so that companies are appropriately reporting their value to stockholders and the public. Stark joined 21 Members of Congress including Representative Paul Gilmor (R-OH) and Senators John McCain (R-AZ) and Carl Levin (D-MI) in sending a letter to FASB supporting their new rule. While the House has passed the legislation blocking the FASB rule, Stark's efforts have helped block this legislation from coming to the Senate floor since they alerted key senators to the dangers of this legislation.

[Trade \(top\)](#)

Congressman
Stark is a strong proponent of fair trade, which includes imposing strong labor and environmental standards on our trading partners. The impending Central America Free Trade Agreement (CAFTA) is a perfect example of bad trade policy. We cannot compete with countries that allow unimpeded pollution and child labor, and CAFTA does nothing to stop these practices in Central America.

This
year Stark voted against the Australia free trade agreement because it was a back door attempt to override Australia's domestic pharmaceutical program which provides universal access to prescription medications for all their citizens. Though these provisions were eventually weakened

in the final agreement, this was done at the behest of the pharmaceutical industry to further increase their world-wide market power and profitability.

He also voted against the Singapore, Chile and Morocco free trade agreements and opposes CAFTA because these agreements do not promote fair trade through the requirement of internationally recognized labor and environmental standards.

Judicial Issues (top)

The Republican campaign against "activist judges" and frivolous lawsuits has been a rallying cry for a much larger effort to weaken civil rights and encroach on the independence of the third branch of government. The record shows that, to the Republicans, the definition of activist judge is a judge who disagrees with you (they certainly didn't mind the widely criticized Bush v. Gore decision that interfered with Florida's state electoral process) and the definition of frivolous lawsuit is a lawsuit that goes against a Republican-leaning interest group or industry.

Congressman Stark has worked against legislation that would:

- For the first time ever in American history, enact a broad ban on Americans' right to their day in court to challenge the constitutionality of a law (H.R. 3313, the so-called Marriage Protection Act)
- Put an arbitrary \$250,000 cap on non-economic damages in cases for medical mistakes
- Delay class action lawsuits and make it harder to receive fair compensation. Class action suits empower average Americans to challenge wrongdoings by wealthy corporations that would otherwise ignore their appeal.

There are more extreme Republican proposals that, thankfully, have not come to the House for a vote, but which Stark vigorously opposes, including legislation that would allow Congress to overturn a Supreme Court

decision and legislation that would bar courts from ruling on the constitutionality of displaying the Ten Commandments in public places.

The Constitution is meaningless if Congress can just pass laws and throw in a line to keep them from being held unconstitutional. Congressman Stark will continue to stand up for our Constitution and for Americans who depend upon an independent judiciary to protect their rights.

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[Iraq/Terrorism \(top\)](#)

Congressman Stark strongly opposed the Iraq War. Stark has since advocated for expanding the role of the United Nations in post-war Iraq. He supports a full partnership between the United States, the UN and a broad international coalition that fully shares the responsibility and cost of securing the country and completing the reconstruction effort. The President must use all means necessary to garner commitments from other nations to contribute the troops and funding necessary to offset the US's current overcommitment in Iraq.

Stark has pushed for a thorough investigation into the Bush Administration's handling of faulty intelligence used to justify the war, including sponsoring a resolution of inquiry requesting proof of Iraq's possession of weapons of mass destruction, and supporting the creation of a bipartisan, independent commission and a select-congressional committee to investigate the Administration's false intelligence claims.

[Post-War Funding](#)

Stark is a cosponsor of HR 1738, the American Parity Act, legislation introduced by Rep. Rahm Emanuel (D-IL) on June 10, 2003 that would require that the \$1.7 billion provided for housing, schools, health care, and infrastructure in post-war Iraq be matched for the same priorities here at home.

Stark voted in favor of HR 1559, the Emergency Wartime Supplemental Appropriations bill that provided \$60 billion in emergency funds for

our troops in combat and subsequent rebuilding efforts in Iraq. Although opposed to the war, Stark believed it was vital that once in harm's way our troops had to have the resources to bring the war to a swift end. The measure passed the House and Senate and was signed into law by President Bush.

Stark

voted against providing \$87 billion in Supplemental Appropriations for ongoing military operations and rebuilding in Iraq and Afghanistan citing the Bush Administration's lack of strategy for carrying out the US occupation. Stark supported an amendment to the bill rescinding the Bush Tax Cuts on the top 1% richest Americans. Despite the potential for raising up to \$150 billion for the war effort, Republicans did not allow the amendment to be offered.

Stark

voted against the Fiscal-Year 2005 Defense Appropriations Act, which included \$25 billion for Iraq. Congress must provide troops in Iraq all the support and protection they need, but it does them no service by approving more money without first demanding a clear exit strategy, especially as troop deployments are extended indefinitely. Americans have a right to know what lies ahead and at what cost. A no vote was an attempt to hold the President accountable.

Stricter Oversight of Reconstruction

In December 2003, Stark joined colleagues in cosponsoring the War Profiteering Prevention Act, legislation that would provide new criminal penalties of up to 20 years in prison and a \$1 million fine for those who knowingly defraud the taxpayers in carrying out their post-war reconstruction contracts in Iraq.

In November 2003, Stark joined Rep. Charles Rangel (D-NY) in introducing H. Con. Res. 323, a Congressional resolution urging the President to immediately request the resignation of Defense Secretary Donald Rumsfeld for his irresponsible conduct in the planning and carrying out of the US occupation of Iraq.

Stark is a cosponsor H. Res. 358, a Congressional resolution introduced on September 6, 2003, requesting the release of "Operation Iraqi Freedom Strategic Lessons Learned," an internal Defense Department report detailing the flawed planning for war and reconstruction in Iraq. The Bush Administration continues to refuse its release to Congress.

Troop Safety and Support

On

November 4, 2003, Stark joined colleagues in a letter to the House Armed Services Committee requesting that it hold a hearing into what contributed to the shortage of body armor, how to best equip our deployed troops and the factors that contributed to the lapse in military readiness.

On

November 7, 2003 Stark joined colleagues in sending a letter to Defense Secretary Donald Rumsfeld requesting an investigation into poor living conditions for National Guard Troops at Fort Stewart and Fort Knox, where reports indicate many are living in ill-equipped housing often without indoor toilets and substandard medical care. Secretary Rumsfeld responded reporting that troops had been moved into permanent housing and efforts were being undertaken to improve health care services.

On November 21,

2003, Stark joined colleagues in sending a letter to President Bush expressing strong concerns with unacceptably low levels of support armed services personnel are receiving from the Administration. Specific concerns cited in the letter were (1) the shortage of Kevlar vests and body armor for troops in Iraq; (2) the lack of radio jammers to block signals for detonating remote control bombs; (3) 250,000 defective and unaccounted for bio-chem suits that have likely been outfitted to deployed troops; (4) the large number of US helicopters in Iraq that lack anti-missile equipment; (5) wounded soldiers having to wait weeks for medical treatment; (6) National Guard and Reserve troops being denied health coverage; and (7) the reduction in imminent danger pay and family separation allowances.

Prisoner Abuse

Stark

is a cosponsor of H. Res. 690, Create Select Congressional Committee to Investigate Prisoner Abuse. This bill would create a panel of 7 Republicans and 7 Democrats to investigate all prisoner abuse undertaken through the Global War on Terrorism, in Iraq, Afghanistan and Guantanamo Bay.

DEFENSE SPENDING

Stark

voted against the National Defense Authorization bills for both 2004 and 2005 and the Department of Defense Appropriations Acts for both Fiscal Year 2004 and 2005 due to the huge increases in military spending and wasteful expenditures on Star Wars, low-yield nuclear weapons and duplicative or non-functional weapons development.

NUCLEAR NON-PROLIFERATION

Stark is a cosponsor of the Nuclear Nonproliferation Treaty Commitments Act, which would require the President to initiate multilateral negotiations to eliminate nuclear weapons, reaffirm the moratorium on nuclear testing, begin large-scale reductions in the US's nuclear arsenal, terminate construction of new weapons facilities, end development of missile defense system, and provide progress reports on efforts promoting international nuclear disarmament.

On May 21, 2003, Stark voted in favor of an amendment to the Fiscal-Year 2004 Defense Appropriations bill offered by Rep. Ellen Tauscher (D-CA) to remove \$15 million provided for development of the so-called Robust Nuclear Penetrator bomb and transfer it to offset the cost of conventional weaponry. The amendment failed by a vote of 226 to 199.

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[Homeland Security \(top\)](#)

CIVIL LIBERTIES

Stark voted YES on Sanders Amendment to Commerce-State-Justice Appropriations Bill in July 2004 that would have repealed Section 215 of the Patriot Act, which allows the FBI to spy on Libraries and bookstores, obtain library circulation records, monitor library Internet use, and obtain bookstore customer lists. The amendment failed by a tie vote of 210-210.

On March 6, 2003, Stark joined Rep. Bernie Sanders in introducing the Freedom to Read Protection Act, legislation to strip a provision within Section 215 of the Patriot Act that allows the FBI to engage in surveillance of libraries, bookstores and even personal computers.

On June 25, 2003, Stark joined Rep. Joe Hoeffel in introducing the Surveillance Oversight and Disclosure Act, legislation that would require public reporting on the federal government's activities under the Patriot Act, which the Justice Department continues to keep largely secret.

In July 2003, Stark voted in favor of the House passed Otter Amendment to the FY 04 Commerce-State-Justice Appropriations prohibiting the Justice Department from seeking court approval to deny individuals prior notification of a search warrant in order for the FBI to initiate secret searches of an individual's home or personal records.

On September 24, 2003, Stark joined colleagues in introducing the Benjamin Franklin True Patriot Act, legislation to comprehensively repeal the most egregious sections of the USA Patriot Act that give federal law enforcement unchecked authority to violate privacy and other basic civil liberties. The legislation would repeal provisions of the Patriot Act that grant law enforcement authority to engage in so-called sneak and peak searches and prying into private, personal records; secret spying at bookstores, libraries, and political and religious meetings; the obtain secret search warrants from the top-secret FISA Court (Foreign Intelligence Surveillance Act Court) to investigate American citizens rather than a criminal court where the nature and scope of a search is more narrowly defined and the warrant is a matter of public record; detain immigrants indefinitely without access to legal counsel or judicial review and deportation without due process of the law.

EMERGENCY PREPAREDNESS/FIRST RESPONDERS

In April 2003, Stark requested \$2 million to upgrade public safety communications for police, fire and public safety personnel throughout the Bay Area to ensure better emergency coordination in the event of a major terrorist attack.

Stark is an original cosponsor of the State Threat Alert

Reimbursement

Act that would require states and local communities to be reimbursed for costs incurred implementing heightened security efforts when terrorist threat levels are elevated. This will ensure that local law enforcement have the resources to fully exercise due diligence in keeping our communities safe.

PORT SECURITY

Stark is a member of the Congressional Port Security Caucus. On September 30,

2003 Stark joined Barbara Lee in urging President Bush to provide more federal grant money for port protection at high-risk facilities such as the Port of Oakland.

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[Environment \(top\)](#)

CALIFORNIA

Stark is an original cosponsor of the California Wild Heritage Acts that would designate 2.5 million acres of pristine lands in Southern and Northern California as protected wilderness while setting aside 440 miles of endangered waterways in California's wild and scenic rivers.

Stark is an original cosponsor the Rancho Corral de Tierra Golden Gate National Recreation Area Extension Act that would add additional lands in Marin and San Mateo Counties to the existing Golden Gate Recreation Area. This extension would protect over 4,000 acres of vital coastal watersheds and habitat for threatened species, such as coho salmon. On June 13, 2003, Stark joined several other Bay Area colleagues in requesting that House appropriators provide \$15 million over five years for the protection of the over 4,000 acres within the Rancho Corral de Tierra property.

On

April 15, 2003, Stark joined Bay Area colleagues in requesting \$100 million to implement the San Pablo Bay Restoration Project. On June 25, 2003, Stark joined Bay Area colleagues in issuing a subsequent letter urging members of the Transportation and Infrastructure Committee to include language in the Water Resources Development Act authorizing the Army Corps of Engineers to participate in implementing the project.

CLEAN AIR/GLOBAL WARMING

Stark is a cosponsor of the Clean Smokestacks Act that would drastically cut the four major power plant emissions by 2009. Under the bill, both nitrogen oxide and sulfur dioxide would be cut by 75%, mercury by 90%, and carbon dioxide, the major cause of global warming, reduced to 1990 levels. On July 7, 2004, Stark joined colleagues in issuing a letter to President Bush urging him to abandon his so-called Clear Skies proposal and to strengthen clean air standards, especially for mercury pollution.

Stark

cosigned a letter with Rep. Ed Markey (D-MA) urging the National Highway Traffic Safety Administration to institute rules to increase the fuel economy of SUVs and light trucks by more than 1.5 miles per gallon by 2007. The Administration continues to refuse raising vehicle emissions standards.

Cosponsor of the Greenhouse Gas Tracking and Reporting Act authored by Rep. Olver that would require mandatory reporting of greenhouse gas emissions and create a national registry to track emissions from specific industries. This legislation has not been acted upon.

CLEAN WATER

Stark is a cosponsor of the Clean Water Authority Restoration Act that would ensure that streams, ponds, wetlands and other non-navigable waters are protected under the Clean Water Act. The Bush Administration is seeking to codify in regulations the Supreme Court's September 2001 decision that ruled that these types of non-navigable waterways are not protected under the Act. This bill makes all waters in the United States protected under the Clean Water Act.

Stark is a cosponsor of the Clean Water Protection Act that would prohibit Bush Administration regulations from going into effect that would allow mining companies and other industries to be able to apply for permits allowing them to dump fill and other waste material into streams and wetlands.

Stark is a cosponsor of the Clean Water Infrastructure Financing Act that would provide \$25 billion in additional federal funding to help States and localities build and maintain wastewater treatment facilities.

FOREST PROTECTION

Stark is a cosponsor of the bipartisan National Forest Protection and Restoration Act that would end commercial logging on National Forest land, phasing-out existing logging contracts over 2 years. The bill has not been acted on in the House.

Stark voted in favor of an amendment offered by Rep. Udall (D-NM) to the Fiscal Year 2004 Interior Appropriations bill that would have prohibited the Bush

Administration from adopting regulations severely limiting public input and restricting scientific review of Forest Service decisions regarding logging and development in National Forests. The Udall Amendment was defeated by a vote of 222-198.

Stark is a cosponsor of the National Forest Roadless Area Conservation Act to preserve 58 million acres of pristine forests throughout the United States from commercial logging by making law the federal regulation known as the Roadless Rule. Stark voted in favor of an amendment to the Fiscal Year 2004 Interior Appropriations bill offered by Rep. Jay Inslee (D-WA) prohibiting the Bush Administration from granting certain states an exemption from the Roadless Rule thereby allowing logging in various pristine forests currently under federal protection. The amendment was defeated by a vote of 234 to 185.

Stark is a cosponsor of the Alaska Rainforest Protection Act that would set aside the pristine Tongass and Chugach National Forests as protected wilderness. Stark voted in favor of an amendment to the Fiscal-Year 2004 Interior Appropriations bill offered by Rep. Jay Inslee (D-WA) that would have prohibited the Bush Administration from opening the Chugach and Tongass to commercial logging and development. The measure was defeated by a vote of 234-185.

Stark
voted against the so-called Healthy Forests Act, which increases subsidies to timber companies to log forests well outside the so-called wildland-urban interface where fires pose the greatest threat while exempting the Forest Service from doing a thorough analysis of alternatives to proposed logging projects.

NATIONAL PARKS

Stark
voted against both Fiscal-Year 2004 and Fiscal-Year 2005 Interior Appropriations bills. These bills under funded the National Parks Service, leaving it without the resources to improve public access and reduce its maintenance backlog. Stark has written numerous letters to House Interior appropriators requesting additional funding for National Parks.

Stark is a cosponsor of the Yellowstone Protection Act, legislation that would require the phasing out of polluting snowmobiles in the park and within neighboring Grand Teton National Park. On July 17, 2003, Stark voted in favor of an amendment to the Fiscal-Year 2004 Interior Appropriations bill offered by Rep. Rush Holt (D-NJ) to enact this snowmobile phase-out in Yellowstone. Although the House vote on this amendment resulted in a tie, a majority was required for passage.

OFFSHORE OIL DRILLING

On

April 11, 2003, Stark voted in favor of a House-passed amendment to the Energy Bill prohibiting the Bush Administration from weakening the federal moratorium on offshore oil drilling. The amendment bars a planned survey of the oil supply available within offshore leases in California and other coastal states. On September 10, 2003, Stark joined colleagues in issuing a letter urging House and Senate conferees to uphold this House action and the drilling moratorium in the final Energy Bill conference report.

Stark is a cosponsor of the Stop Oil Spills (SOS) Act that will require oil companies to speed up their efforts to replace single-hulled tankers like the Exxon Valdez with safer double-hulled ships. It moves up the current federal deadline from 2015 to 2005. The bill has not been acted on.

WILDERNESS PRESERVATION

Stark is a cosponsor of the Morris K. Udall Arctic Wilderness Act that would designate the coastal plain of Alaska's Arctic National Wildlife Refuge as protected wilderness, prohibiting future oil drilling or development. On April 10, 2003, Stark voted in favor of an amendment to the Energy Bill offered by Rep. Ed Markey (D-MA) stripping authorization in the bill for oil drilling in the Refuge. The amendment failed by a vote of 228 to 197.

Stark is a cosponsor of the Northern Rockies Protection Act that would set aside 18 million acres of pristine public lands in Montana, Idaho, Wyoming, Washington, and Oregon as protected wilderness.

Stark voted in favor of an amendment to the Fiscal-Year 2004 Interior Appropriations bill offered by Rep. Mark Udall (D-CO) to prohibit the Bureau of Land Management from granting states and counties rights of way for road building and development within federally protected wilderness areas, national parks and wildlife refuges. The amendment passed the House by voice vote.

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[Joint Economic Committee \(top\)](#)

Stark

serves as Ranking Democrat on the Joint Economic Committee which is comprised of Members of both the House and Senate. The JEC was established by the Employment Act of 1946 and is directed to study how to achieve low unemployment and low inflation and advise Congress concerning the economic policies of the Administration.

Stark

has produced numerous analyses on a variety of economic topics such as those highlighted below. For more details, please visit the JEC website at <http://jec.senate.gov/democrats/index.html>.

- Issue

a monthly press release when the Administration releases its employment report. These serve to highlight a different interpretation of the employment data than that provided by the Administration. Through this mechanism, the JEC was the first to coin the now common phrase that the Bush Administration is on its way to be the first Administration since Hoover not to create any net new jobs during its term in office.

- Established

a "Bush Economic Record" that keeps up-to-date key economic statistics relative to progress under prior Administrations.

- Produced

numerous reports on the Unemployment Insurance program illustrating the need to extend unemployment benefits – and highlighting that previous Republican Administrations have been willing to do so in less extreme recessions than has been experienced during the Bush presidency.

- Requested the Congressional Budget Office to detail the distributional impact of the Bush tax cuts.

- Wrote

a report on the impact of Medicare premiums on the Social Security cost of living adjustment. This report led to the introduction of the COLA Protection Act introduced by a large group of Members of Congress including Stark.

Bringing Federal Resources to California's 13th District (top)

2004 INITIATIVES:

- TRANSIT FUNDING:

Stark obtained \$1,499,000 for AC Transit's Welfare to Work, Job Access and Reverse Commute. These transit services connect neighborhoods in

Hayward, Oakland, and Contra Costa County with high concentrations of welfare-to-work recipients to employment centers.

- ALAMEDA TRAMWAY:

Stark secured \$500,000 for the City of Alameda's feasibility study for a tramway that would transport commuters from Alameda Point to the West Oakland BART station.

- ALAMEDA NAVAL BASE TRANSFER:

Stark was also able to put Congress on record requesting that the Navy work with the Environmental Protection Agency on an "early transfer" of the former Naval Air Station to the City.

PENDING PROJECTS FOR 2005 FUNDING

REDUCING GRIDLOCK: Stark secured \$14 million in the highways and transit reauthorization bill for projects in the 13th district. The bill has passed both House and Senate and the differences are being resolved in a conference committee.

Regional

Implement and maintain an incident management system for I-880 and I-80 in Alameda and Contra Costa Counties

\$0.5 million

Alameda County

Construct San Leandro-Oakland biking and hiking path

\$0.75 million

Alameda County

Streetscape improvements at E. 14th/Mission Blvd.

\$1.25 million

City of Alameda

Planning, design, and construction of an aerial tramway from Alameda Point to West Oakland BART

\$2 million

Fremont

Construct new ramps to Route 262, widen 262, and reconstruct railroad bridges

\$3 million

Hayward

Reconstruct the I-880/Route 92 interchange

\$2 million

Newark

Construct an overpass at Central Avenue and the Union Pacific railroad crossing

\$1 million

San Leandro

Replace the I-880 overpass at Davis Street

\$1 million

Union City

Grade separation to provide new vehicle, pedestrian, and bike access to BART

\$2.5 million

SAN LEANDRO SENIOR CITIZENS CENTER:
Stark secured \$100,000 in the VA/HUD Appropriations bill for construction of a new Senior Citizens Center in San Leandro. The bill has been approved by the Committee and awaits consideration by the full House

FREMONT CHILD CARE CENTER: Stark secured \$100,000 in VA/HUD for renovations at the Kidango Rix Child Care Center in Fremont.

FREMONT LAGUNA CREEK WATERSHED:

Stark secured \$57,000 in the Energy & Water Appropriations bill for a study to bolster the Laguna Creek Watershed in Fremont so it can contain a 100-year storm (its current capacity is only for a 15-year storm). The bill has been passed by the House and awaits consideration by the Senate

SAN LEANDRO ESTUDILLO WATERSHED:

Stark also secured \$57,000 in Energy & Water for a study of similar improvements to the Estudillo Canal Watershed in San Leandro

There are another dozen projects for the 13th Congressional District requested by Stark totaling some \$50 million in the remaining Appropriations bills. Project funding in these bills will not be determined until later in this session of Congress – most likely in a lame duck session expected at some point after the election.

STARK SECURES HUD FUNDING FOR ALAMEDA’S SECTION 8 HOUSING PROGRAMS:

During the summer of 2004, the city of Alameda faced a crisis in Section 8 housing funding caused by Bush Administration cutbacks in this vital program. Stark was able to secure \$636,161 of HUD funding – that the Administration had originally rescinded -- for the City of Alameda to address its Section 8 housing budget shortfall. Congressman Stark worked closely with the Alameda Housing Authority and intervened with the Bush Administration on their behalf to achieve this outcome.

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Helping Constitutents with Government (top)

Stark helped constituents work through problems they have with the federal government. During the course of the 108th Congress, Stark and his staff have resolved approximately 2,500 cases. The forms of help varied widely. For some people, this was a matter of tracking down a missing check from Social Security. For others, help involved strong advocacy to assist constituents in pursuit of their claims before the government. Often times, constituent work allows family members from overseas to be reunited with their family here in our country. But always it is a privilege to help the people of the 13th congressional with their federal concerns.

Below are just a few examples of cases successfully resolved:

IRS

Bruce’s

father died in 1994 and due to prolonged illness over the last 5 years of his life, he had not filed tax returns for 4 years. After deducing this fact from his father's personal documents, the son filed returns for the missing years. Two of the years had a tax refund due & two had a tax liability. The IRS lost the two with a refund due. As a result of our inquiry, the IRS finally realized that when there are no probate assets, the heir is not liable for the back taxes. He had spent 18 months trying to "make it right" because the IRS was following "negligent taxpayer" procedures instead of their "dead taxpayer" procedures.

Post Office – Mail Fraud

Victor,
responding to an advertisement he'd received in the mail, mailed a check for over-the-counter Avocet caplets (or sex pills, as he called them). The company cashed his check, and then disappeared. He never received his pills or his money back. We contacted both the US Postal Inspector and the Fraud Unit of the Police Department in the city where he'd mailed his check. Through this interaction, he received a full refund.

FDA/Consumer

Milan

received third degree burns from a Procter & Gamble product. We supported his complaint to the FDA and Procter & Gamble. We were eventually able to give him enough information so that a Procter & Gamble doctor sent him to a skin specialist to examine his burns and their legal department is working on getting him some compensation.

VA

Due

to his medical disabilities, Frank is eligible for transportation to medical appointments. He was told that the transportation benefit expired in June. He didn't know how to appeal or how to get to future appointments. Through our inquiry we discovered that he had actually been approved for another year of Special Mode Transportation, but the VA had neglected to inform him of the approval. He is now receiving the services.

Dept. of Defense/ VA

Jovencia

is the widow of a disabled veteran and was eligible for Survivor Benefits benefits from the Dept. of Defense and for DIC from the VA. Since she could not have both, she opted for the higher (DIC) from the VA. But the DOD started sending her SBP checks. As a result of our inquiry, they stopped the SBP checks, and refunded over \$11,000 to her which was the amount of SBC premiums her husband had paid in.

Military & Military Records Center

We

were able to get Bill's deceased father's DD214 (military discharge paper) overnight from the National Personnel Records Center. DD214s are required for military honors at funerals. Bill contacted us on a Monday, we contacted NPRC on Tuesday, NPRC faxed us the DD214 on

Wednesday which we then forwarded to the constituent in time for the funeral home to arrange military honors for the funeral on Thursday.

Social Security

For more than 8 months after her husband's death, Marilyn had been trying to get Mother's Benefits from the Social Security Administration to help her care for her developmentally disabled adult child. We were able to cut through the red tape, pinpoint the problem, and get her both a lump sum back payment and monthly benefits.

Department of State

We helped Berhe's daughter get an immigrant visa. The Embassy was unclear about what documents needed to be submitted. She was told one thing before hand and something else at her interview. We asked the Embassy what documents were still needed and then forwarded the required documents to the Embassy in Asmara, Eritrea. She was issued an immigrant visa.

Citizenship & Immigration Services

Lalitkumar & Nalini filed for naturalization in 2-02, and were interviewed (passed their citizenship test) in 11-02. A year later when they still had not been scheduled for their oath ceremony, they asked for our help. We found out the problem was the fingerprints. The fingerprints were first unclassifiable and the second set expired, the 3rd set was again rejected as unclassifiable & finally she was told to get police clearance & then was naturalized several months later.

Aaron contacted us on behalf of his wife Gloria who was scheduled to perform in an opera in Italy. The couple had been married in Italy, not the United States, and had filed the necessary paperwork but had to be in Italy for a performance prior to their case being processed. The office arranged for an expedited Advance Parole so she could make the opera and be on stage on time.